

(b) REPORT REQUIRED.—Not later than December 31, 2022, and annually thereafter, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report—

(1) describing in detail the discussions of such Secretaries with countries that are allies of the United States concerning supply chain security for defense minerals;

(2) assessing the likelihood of those countries discontinuing the use of defense minerals from the People's Republic of China or other countries that such Secretaries deem to be of concern; and

(3) assessing initiatives in other countries to increase defense mineral mining and production capabilities.

SA 4400. Mr. WICKER (for himself, Mr. CARDIN, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. TRANSNATIONAL REPRESSION ACCOUNTABILITY AND PREVENTION.

(a) **SHORT TITLE.**—This section may be cited as the “Transnational Repression Accountability and Prevention Act of 2021” or as the “TRAP Act of 2021”.

(b) **FINDINGS.**—Congress makes the following findings:

(1) The International Criminal Police Organization (INTERPOL) works to prevent and fight crime through enhanced cooperation and innovation on police and security matters, including kleptocracy, counterterrorism, cybercrime, counternarcotics, and transnational organized crime.

(2) United States membership and participation in INTERPOL advances the national security and law enforcement interests of the United States related to combating kleptocracy, terrorism, cybercrime, narcotics, and transnational organized crime.

(3) Article 2 of INTERPOL's Constitution states that the organization aims “[to] ensure and promote the widest possible mutual assistance between all criminal police authorities . . . in the spirit of the ‘Universal Declaration of Human Rights’”.

(4) Article 3 of INTERPOL's Constitution states that “[i]t is strictly forbidden for the Organization to undertake any intervention or activities of a political, military, religious or racial character”.

(5) These principles provide INTERPOL with a foundation based on respect for human rights and avoidance of politically motivated actions by the organization and its members.

(6) According to the Justice Manual of the United States Department of Justice, “[i]n the United States, national law prohibits the arrest of the subject of a Red Notice issued by another INTERPOL member country, based upon the notice alone”.

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that some INTERPOL member countries have repeatedly misused INTERPOL's databases and processes, including Notice and Diffusion mechanisms, for activities of an overtly political or other unlawful character and in violation of inter-

national human rights standards, including making requests to harass or persecute political opponents, human rights defenders, or journalists.

(d) **SUPPORT FOR INTERPOL INSTITUTIONAL REFORMS.**—The Attorney General and the Secretary of State shall—

(1) use the voice, vote, and influence of the United States, as appropriate, within INTERPOL's General Assembly and Executive Committee to promote reforms aimed at improving the transparency of INTERPOL and ensuring its operation consistent with its Constitution, particularly articles 2 and 3, and Rules on the Processing of Data, including—

(A) supporting INTERPOL's reforms enhancing the screening process for Notices, Diffusions, and other INTERPOL communications to ensure they comply with INTERPOL's Constitution and Rules on the Processing of Data (RPD);

(B) supporting and strengthening INTERPOL's coordination with the Commission for Control of INTERPOL's Files (CCF) in cases in which INTERPOL or the CCF has determined that a member country issued a Notice, Diffusion, or other INTERPOL communication against an individual in violation of articles 2 or 3 of the INTERPOL Constitution, or the RPD, to prohibit such member country from seeking the publication or issuance of any subsequent Notices, Diffusions, or other INTERPOL communication against the same individual based on the same set of claims or facts;

(C) increasing, to the extent practicable, dedicated funding to the CCF and the Notices and Diffusions Task Force in order to further expand operations related to the review of requests for red notices and red diffusions;

(D) supporting candidates for positions within INTERPOL's structures, including the Presidency, Executive Committee, General Secretariat, and CCF who have demonstrated experience relating to and respect for the rule of law;

(E) seeking to require INTERPOL in its annual report to provide a detailed account, disaggregated by member country or entity of—

(i) the number of Notice requests, disaggregated by color, that it received;

(ii) the number of Notice requests, disaggregated by color, that it rejected;

(iii) the category of violation identified in each instance of a rejected Notice;

(iv) the number of Diffusions that it cancelled without reference to decisions by the CCF; and

(v) the sources of all INTERPOL income during the reporting period; and

(F) supporting greater transparency by the CCF in its annual report by providing a detailed account, disaggregated by country, of—

(i) the number of admissible requests for correction or deletion of data received by the CCF regarding issued Notices, Diffusions, and other INTERPOL communications; and

(ii) the category of violation alleged in each such complaint;

(2) inform the INTERPOL General Secretariat about incidents in which member countries abuse INTERPOL communications for politically motivated or other unlawful purposes so that, as appropriate, action can be taken by INTERPOL; and

(3) request to censure member countries that repeatedly abuse and misuse INTERPOL's red notice and red diffusion mechanisms, including restricting the access of those countries to INTERPOL's data and information systems.

(e) **REPORT ON INTERPOL.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, and

biannually thereafter for a period of 4 years, the Attorney General and the Secretary of State, in consultation with the heads of other relevant United States Government departments or agencies, shall submit to the appropriate committees of Congress a report containing an assessment of how INTERPOL member countries abuse INTERPOL Red Notices, Diffusions, and other INTERPOL communications for political motives and other unlawful purposes within the past three years.

(2) **ELEMENTS.**—The report required under paragraph (1) shall include the following elements:

(A) A list of countries that the Attorney General and the Secretary determine have repeatedly abused and misused the red notice and red diffusion mechanisms for political purposes.

(B) A description of the most common tactics employed by member countries in conducting such abuse, including the crimes most commonly alleged and the INTERPOL communications most commonly exploited.

(C) An assessment of the adequacy of INTERPOL mechanisms for challenging abusive requests, including the Commission for the Control of INTERPOL's Files (CCF), an assessment of the CCF's March 2017 Operating Rules, and any shortcomings the United States believes should be addressed.

(D) A description of how INTERPOL's General Secretariat identifies requests for red notice or red diffusions that are politically motivated or are otherwise in violation of INTERPOL's rules and how INTERPOL reviews and addresses cases in which a member country has abused or misused the red notice and red diffusion mechanisms for overtly political purposes.

(E) A description of any incidents in which the Department of Justice assesses that United States courts and executive departments or agencies have relied on INTERPOL communications in contravention of existing law or policy to seek the detention of individuals or render judgments concerning their immigration status or requests for asylum, with holding of removal, or convention against torture claims and any measures the Department of Justice or other executive departments or agencies took in response to these incidents.

(F) A description of how the United States monitors and responds to likely instances of abuse of INTERPOL communications by member countries that could affect the interests of the United States, including citizens and nationals of the United States, employees of the United States Government, aliens lawfully admitted for permanent residence in the United States, aliens who are lawfully present in the United States, or aliens with pending asylum, withholding of removal, or convention against torture claims, though they may be unlawfully present in the United States.

(G) A description of what actions the United States takes in response to credible information it receives concerning likely abuse of INTERPOL communications targeting employees of the United States Government for activities they undertook in an official capacity.

(H) A description of United States advocacy for reform and good governance within INTERPOL.

(I) A strategy for improving interagency coordination to identify and address instances of INTERPOL abuse that affect the interests of the United States, including international respect for human rights and fundamental freedoms, citizens and nationals of the United States, employees of the United States Government, aliens lawfully admitted for permanent residence in the United States, aliens who are lawfully

present in the United States, or aliens with pending asylum, withholding of removal, or convention against torture claims, though they may be unlawfully present in the United States.

(3) **FORM OF REPORT.**—Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex, as appropriate. The unclassified portion of the report shall be posted on a publicly available website of the Department of State and of the Department of Justice.

(4) **BRIEFING.**—Not later than 30 days after the submission of each report under paragraph (1), the Department of Justice and the Department of State, in coordination with other relevant United States Government departments and agencies, shall brief the appropriate committees of Congress on the content of the reports and recent instances of INTERPOL abuse by member countries and United States efforts to identify and challenge such abuse, including efforts to promote reform and good governance within INTERPOL.

(f) **PROHIBITION REGARDING BASIS FOR EXTRADITION.**—No United States Government department or agency may extradite an individual based solely on an INTERPOL Red Notice or Diffusion issued by another INTERPOL member country for such individual.

(g) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives.

(2) **INTERPOL COMMUNICATIONS.**—The term “INTERPOL communications” means any INTERPOL Notice or Diffusion or any entry into any INTERPOL database or other communications system maintained by INTERPOL.

SA 4401. Mr. THUNE (for Mr. ROUNDS (for himself, Ms. SINEMA, Mr. COTTON, Mr. CRAMER, Mr. KELLY, Mr. KING, Mr. PETERS, Ms. ROSEN, Mr. PORTMAN, Mr. BRAUN, and Mr. DAINES)) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. MCCAIN-MANSFIELD FELLOWSHIP PROGRAM.

(a) **DEFINITIONS.**—In this section—

(1) the term “eligible individual” means an individual who meets the eligibility criteria established under subsection (d)(1)(A);

(2) the term “Program” means the McCain-Mansfield Fellowship Program established under subsection (b); and

(3) the term “Sergeant at Arms” means the Sergeant at Arms and Doorkeeper of the Senate.

(b) **ESTABLISHMENT.**—Not later than December 31, 2023, and subject to the availability of appropriations, the Sergeant at Arms shall establish a fellowship program to be known as the McCain-Mansfield Fellow-

ship Program for wounded or disabled veterans.

(c) **FELLOWSHIPS.**—Under the Program, an eligible individual may serve a 24-month fellowship in the office of a Senator.

(d) **ADMINISTRATION.**—

(1) **IN GENERAL.**—The Committee on Rules and Administration of the Senate shall promulgate regulations for the administration of the Program, including establishing the criteria for—

(A) eligibility to participate in a fellowship under the Program; and

(B) a method of prioritizing the assignment of fellowships to the offices of Senators under the Program, if the amount made available to carry out the Program for a fiscal year is not enough to provide fellowships in all offices requesting to participate in the Program for such fiscal year.

(2) **PLACEMENT.**—An eligible individual may serve in a fellowship under the Program at the office of a Senator in the District of Columbia or at a State office of the Senator.

(3) **AUTHORITY FOR AGREEMENT.**—The Sergeant at Arms may enter into an agreement with the Chief Administrative Officer of the House of Representatives for the joint operation of the Program, the Congressional Gold Star Family Fellowship Program established under House Resolution 107, 116th Congress, agreed to October 29, 2019, and the Wounded Warrior Fellowship Program carried out by the Chief Administrative Officer.

(e) **EXCLUSION OF APPOINTEES FOR PURPOSES OF COMPENSATION LIMITS.**—The compensation paid to any eligible individual serving in a fellowship under the Program in the office of a Senator shall not be included in the determination of the aggregate gross compensation for employees employed by the Senator under section 105(d)(1) of the Legislative Branch Appropriation Act, 1968 (20 U.S.C. 4575(d)(1)).

SA 4402. Mr. SULLIVAN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1253. REPORT ON ABILITY OF DEPARTMENT OF DEFENSE TO INTERDICT OR BLOCKADE CERTAIN VESSELS IN THE SOUTH AND EAST CHINA SEAS.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the ability of the Department of Defense, in the event of hostilities between the United States and the People's Republic of China, to interdict or blockade civilian merchant shipping vessels transiting the South and East China Seas under the flag of the People's Republic of China.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) An assessment of each of the following:

(A) The number of such vessels that transit the South and East China Seas annually.

(B) The annual percentage of trade by the People's Republic of China that is conducted through the South and East China Seas by such vessels.

(C) The maritime choke points in the South and East China Seas that are most important to the People's Republic of China.

(D) The capacity and capability of the Department—

(i) to execute a blockade of such vessels around maritime choke points in the South and East China Seas; and

(ii) to otherwise interdict such vessels.

(E) The manner in which the granting or rejection of basing, overflight, or transit rights by countries bordering the South and East China Seas would affect the ability of the Department to interdict or blockade such vessels.

(2) A description of any instance of Department-funded wargames in which the United States or the People's Republic of China initiated any type of blockade, including the lessons learned from any such instance and the views of the game participants.

(c) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form and include a classified annex.

SA 4403. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1264. CHINESE DEBT STUDY.

(a) **REPORTS.**—Not later than 60 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, working through the Under Secretary of State for Economic Affairs, shall direct each United States embassy to prepare a report outlining Chinese equity and assets within their respective countries of operation.

(b) **CONTENTS.**—Each report prepared pursuant to subsection (a) shall include, with respect to the indebted country—

(1) an assessment of the country's overall debt obligations to the People's Republic of China;

(2) a list of known infrastructure projects that are financed from capital provided by—

(A) the banking system of the People's Republic of China, including—

(i) policy banks, including—

(I) the China Development Bank;

(II) the Export-Import Bank of China; and

(III) the Agricultural Development Bank of China;

(ii) commercial banks owned by the Government of the People's Republic of China, including—

(I) the Bank of China;

(II) the Industrial and Commercial Bank of China;

(III) the Agricultural Bank of China;

(IV) the China Construction Bank; and

(V) the Bank of Communications Limited;

(iii) sovereign wealth funds, including—

(I) China Investment Corporation;

(II) China Life Insurance Company;

(III) China National Social Security Fund; and

(IV) the Silk Road Fund;

(iv) urban commercial banks; and

(v) rural financial institutions;

(B) international financing institutions, including—

(i) the World Bank Group;

(ii) the Asian Development Bank;

(iii) the Asian Infrastructure Investment Bank; and